

Libby Community Advisory Group

Meeting Summary

June 14, 2001

Introductions

Gerald Mueller and the Libby Community Advisory Group (CAG) members present introduced themselves. A list of all of the members in attendance is attached below as Appendix 1. Les Skramstad introduced Senator Bill Crismore who came to this meeting at Mr. Skramstad's invitation.

Agenda

Mr. Mueller reviewed an agenda for this meeting including the following topics:

- Inspector General Update
- Agency Reports
 - EPA
 - ATSDR
 - Lincoln County
 - St. John's Hospital
- National Priorities Listing
 - TOSC Report
 - Senator Crismore
 - Wilbur Wilson Letter
- Report on Dr. Holian's Program
- Public Comment

Inspector General Update

Gerald Mueller reported that Inspector General Nikki Tinsley has agreed to attend the July 12 CAG meeting. She will be accompanied by Steve Luftig, Deputy Assistant Administrator for EPA's Office of Solid Waste and Emergency Response.

EPA Report

Wendy Thomi, EPA Community Involvement Coordinator, and Paul Peronard, EPA On-Scene Coordinator, reported on behalf of EPA on the following topics.

CAG Evaluation

Wendy Thomi said that EPA has received nine evaluations of the CAG, including five from CAG members and four from non-members. Overall the evaluations were favorable, but suggestions for changes were made in three categories, CAG operations, general, and how EPA might better help. A summary of the suggestions follows:

CAG Operations

- Five respondents suggested no changes;
- Hold CAG meetings during the day;
- Issues should be more thoroughly reviewed before the CAG votes on them;
- CAG members should keep their constituents up to date; and
- Members should be screened.

General

- An amplification system should be used at CAG meetings;
- A court reporter should record and transcribe CAG meetings;
- The CAG should be formally incorporated so that it can receive funding;
- An effort should be made to increase CAG meeting attendance;
- The CAG should include more business people;
- The CAG should include an attorney; and
- The CAG should include more community leaders.

How EPA Can Help

- EPA should pay to have CAG meeting summaries published;
- EPA should help the CAG obtain a technical assistance grant;
- EPA should help the CAG obtain better technical information;
- EPA should complete the clean up of Libby; and
- An EPA representative should live in Libby.

EPA will review these suggestions with the CAG at a future meeting.

Paul Peronard reported on the following topics:

Cleanups

- Screening Plant - About 25,000 cubic yards of material have been moved from the screening plant stock pile to the mine. The stock pile should be moved completely by mid-July. Mr. Peronard stated that he is concerned about the possibility of forest fires this summer shutting down the hauling operation.
- Schools - Additional work at the schools began last week after the school year ended. Additional sampling on a grid basis is being conducted at the high school which should be finished by next week. Cleanup will begin first at Plummer Elementary and take about a week. Cleanup will then shift to the high school. A primary concern at the high school is restoring the rubberized track prior to the start of football practice. This work will be complicated if contamination is discovered near the bleachers so they have to be moved. After the high school clean up is done, clean-up activities will move to the middle school. Digging there should begin by the end of July and probably will require two and a half to three weeks to finish. Restoration at the middle school will then begin.
- Export Plant - Buildings at the export site will be demolished. EPA is working with W.R. Grace and the City to decide on restoration. Vermiculite has been found around the building foundations. Tremolite/stoner rocks containing 20-35% asbestos by weight was found in the wooded area on the west side of the property. The location of the property boundary in this area is not clear.

Cleanup of these three areas and the two Kootenai Development Corporation properties and some residences with unexploded vermiculite in their yards should be completed this summer.

CAG Member Question - Will the material being moved through town from the screening plant site to the mine be transported on the articulated dump trucks?

Answer - No. We will use either roll off boxes or end dumps.

Audience Member Question - What about cleanup at the railroad area?

Answer - Two weeks ago, Mr. Peronard met with BN's David Smith in Denver to discuss clean up of railroad properties. BN has agreed to complete the cleanup under a consent order. BN's

initially proposed to cap the contaminated areas with six inches of material and sign a permanent deed restriction to keep the capped areas from being disturbed. They have also apparently taken the switch yard off line so that workers are not in that area. Normally, in environmental cleanups, caps consist of eighteen inches of material. BN workers have expressed concerns about the cleanup to NIOSH. BN is developing the clean-up plan for its properties, and when it is finished, it will be discussed with the public and CAG before it is approved.

CAG Member Question - No work is taking place on the track ballast?

Answer - That is correct. BN is apparently not using the switch yards.

Audience Member Question - I was working in the switch yard today, and local trains are still using the switch yard.

Response - EPA will follow up on this with Mr. Smith.

Official Visits

Steve Luftig, who will be attending the July 12 CAG meeting along with the EPA Inspector General, is the head of the EPA Superfund Program. He is the person with whom the CAG should discuss changes in what EPA is doing in Libby. He is interested in hearing views on adding Libby to the National Priority List. Ms. Tinsley wants to discuss with the CAG her report on past EPA actions in Libby and possible next steps such as the need for additional investigation. Susan Hazen, who heads EPA's Toxic Substances Program, will also be attending the July 12 meeting. Ms. Hazen's program regulates asbestos. Although she did not have her present job then, officials from the Toxic Substance Program worked here in Libby during the 1980's.

EPA Administrator Governor Whitman and Governor Martz will jointly visit Libby at the end the of the summer. This visit will provide the CAG and Libby community to express concerns about topics such as the Zonolite insulation in Libby homes.

Business Community Meeting

Mr. Peronard and Ms. Thomi met earlier today with about 30 members of the Libby business community. Senator Crismore also attended. People at the meeting expressed concerns about the economic implications of designating Libby as an NPL site, including lost business. A straw vote indicated that about half of those present favored an NPL listing and half favored evaluating other alternatives to complete the cleanup. EPA intends to have a regular forum to meet monthly with business people. EPA does not see such a forum as competitive with the CAG.

CAG Member Comment - I also attended this meeting. The business people asked questions and raised concerns similar to those asked and raised at CAG meetings. I don't see the Libby community as divided as some people are saying. The meeting was a positive step forward for our community.

CAG Member Question - How many people attended this meeting, and how were they selected?

Response - About 30 people attended, and the meeting was organized by Bob Tunis and Rita Windom.

Oakland Health Effects Conference

Two weeks ago Paul Peronard, Dr. Brad Black, Ron Anderson, Leroy Thom, Clinton Maynard, and

Carol Spas attended the conference on the health effects of asbestos organized by EPA. Academic researchers and high level program and policy people attended, including scientists from Scotland and France. Dr. McDonald who studied Libby during the 1980's also attended. Each of the Libby participants summarized their experience, and highlights of their summaries follow.

- Mr. Peronard - As a result of the conference, I feel good about the work being done here. It is important for EPA to put together the large amount of information it is collecting in Libby on the medical effects, risk assessment, and other technical issues and present it to the academic and regulatory communities. The slow pace of understanding these issues evident at the conference will not slow down cleanups. This knowledge affects our ability to decide the nature of risk and how clean is clean.
- Leroy Thom - The conference was very informative and not too hard to understand. I am disappointed that those in attendance seemed to be 20 years behind in terms of asbestos issues. Most of the work discussed involved chrysotile rather than tremolite asbestos. "Except for Libby" was a common phrase in discussion of asbestos health effects. More study is needed on the toxicity of fiber lengths. It is clear based on the conference that the work EPA is doing here is on the threshold of asbestos knowledge and technology.
- Clinton Maynard - I appreciated the opportunity to attend and witness history. Studying asbestos without isolating the toxicity and effects of the different mineral families such as chrysotile and tremolite is not the right way. Amphiboles are bio-persistent, i.e. the body cannot break them down as it can serpentine asbestos.
- Ron Anderson - I had the opportunity to attend a similar conference in Denver a year ago. I expected that we would have moved forward more in the past year. The difference in asbestos minerals was not acknowledged.
- Dr. Black - In medical science, new information is looked at objectively, and the slow pace regarding asbestos health effects is therefore to be expected. We have a job to do in assembling knowledge we are collecting here about plural based asbestos health effects, such as the scarring of lungs and lung lining, and incorporating it into risk assessments.
- Carol Spas - The conference focused on lung cancer and mesothelioma but not asbestosis.

CAG Member Comment - We should convene another conference here in Libby focused specifically on Libby.

CAG Member Comment - A transcript of the conference will be available at the EPA Information Center when it is published.

Comment by Wendy Thomi - The videos of last year's Libby Conference on Asbestos and Public Health have arrived. Copies will be provided to Kirby Maki, Ron Anderson, the local library, and the EPA Information Center.

CAG Member Question - Do you have results of sampling at day care facilities?

Answer - We just received results of sampling at St. John's Day Care, but we have not had a chance to discuss them with the owners of the Day Care. We will do so before releasing them publicly.

CAG Member Question - What are the results of the stationary ambient air monitoring?

Answer - No fibers have been detected at any sites except for those adjacent to clean up sites. We are considering changes to the air sampling as a result of these results. We may move away from static ambient monitoring and to event oriented sampling associated with disturbances of contaminated

areas. We may also put air sampling pumps on people to monitor their day-to-day activities.

CAG Member Comment - EPA should do more to publicize that the ambient air in Libby is free from asbestos fibers. Driving through town will not result in exposure.

Response - EPA is making an effort to report this result, but the press doesn't always report it.

ATSDR Report

Dan Strausbaugh, Montana Representative of ATSDR, reported on behalf of his agency on the following three topics.

CT Study

The objective of the study is to evaluate the effectiveness of chest X- rays as a means of identifying lung abnormalities associated with asbestos exposure. Three hundred thirty eligible people have been selected to participate in the CT study from those who participated in the first round of medical screening. ATSDR is working with St. John's Hospital to conduct the study. The study began last week and is going very well. Approximately forty people are being scheduled per week

Second Round of Initial Medical Testing

Planning for the second round of the initial medical testing is on schedule. Letters inviting people to participate in the second round will be sent June 18th to everyone now on the list, including participants in the July high school reunion. People can call the 1-800 telephone number, 1-800-439-8308, and schedule appointments beginning June 21. Those who do not receive a letter by July 1 should call the 1-800 number and schedule an appointment. ATSDR will issue a press release announcing the testing next Wednesday. ATSDR staff from Atlanta will conduct media interviews in Libby on July 27.

The second round of initial medical testing will officially begin on Monday, July 30. Testing will be open every day but Saturday. Medical testing will be provided for people in Libby for the Class Reunion on July 29.

Final Report

ATSDR anticipates releasing a draft of the final report late this summer.

CAG Member Question -Where will the testing be publicized? Several former Libby railroad workers now are in the Spokane.

Answer - On Libby television channel 10 and the radio stations. We are also planning national coverage including Spokane.

CAG Member Question - When will the CT study results be available?

Answer - I'm not sure.

Lincoln County

Ron Anderson reported on behalf of Lincoln County on three topics.

Libby Grant Writing Position

Dr. Spence of DPPHS has told us that the last legislature provided \$18,500 per year for two years to fund a grant writer in Libby. The County intends to contract for this position rather than hiring

someone as a County employee. We are interested in advice about the position description.

Representative Dennis Rehberg's Roundtable

Ms. Terry Danelle, a staff person to Congressman Rehberg, announced that the Congressman will convene a roundtable in Libby at 10:00 a.m. on July 6. Members of the CAG, the business and medical communities, and EPA will be invited to participate.

County Investigation

The format and details are being developed of the County's investigation of the impacts of the tremolite asbestos exposure on County public health, welfare, safety, or the environment. The investigation is pursuant to the ordinance passed by the County Commissioners.

CAG Member Question - Wasn't the funding from the legislature to hire a case worker to help individuals and others to find funding?

Answer by Rep. Carney - The funding was not intended for individuals, but rather to assist Libby groups and agencies.

St. John's Hospital Report

Laura Sedler reported that the emergency response arm of the Substance Abuse and Mental Health Services Administration (SAMHSA) has requested that St. Johns respond to a request for proposals to contract with them for one year to provide for community outreach to train social services personnel and other community members to recognize the effects of stress resulting from the asbestos exposure. We intend to focus on the schools to address concerns of our children, and to our hard to reach elderly population. Through this contract, we will be reporting to SAMHSA on what works for the community and what doesn't.

Superfund National Priorities Listing

TOSC Report

At the CAG's request at its May meeting, Clinton Maynard contacted Kevin Mellott, assistant project manager with the Technical Outreach Services for Communities (TOSC), concerning the pros and cons of including Libby on the Superfund National Priorities List. Mr. Mellott will report to the CAG at its June 28 meeting.

Senator Crismore

Senator Crismore spoke to the CAG about his actions during and after the most recent session of the Montana Legislature and about his positions and feelings regarding the cleanup and NPL listing. He stated that some people have the misconception that he doesn't represent asbestos victims. He stated that Libby has a definite problem, that people have been hurt and harmed and should receive treatment, and that the town needs to be cleaned up. He also stated that he may differ with some about how the cleanup should occur. The Senator said that W.R. Grace has the responsibility to clean up Libby and that cleanup should occur immediately. He stated that during the session, he killed a bill sponsored by Senator Thomas that would have adversely affected asbestos victims. He also said that a bill previously before Congress supported by Senator Burns that would have helped people nationwide may have harmed Libby victims. This bill did not go forward. Senator Crismore explained that in response to calls during the session from 75 to 100 people to bring people together, he requested a meeting with Governor Martz during which she emphasized the importance of cleaning up Libby and getting treatment for victims. He also recently attended a meeting with

the Governor and W.R. Grace officials concerning the cleanup. The Senator emphasized that press people were in attendance. Finally, he stated that there are two sides concerning the NPL listing and that people are contacting him who do not trust EPA and who oppose listing.

Wilson Letter

At the May CAG meeting, Wilbur Wilson volunteered to draft a letter on behalf of the CAG urging Governor Martz to support designating Libby as an NPL site. Although he was not present at this meeting, he had drafted a letter and provided it to the CAG via Wendy Thomi. The draft which is included below as Appendix 2 was read to the CAG and audience. The CAG then discussed whether to sign and send the letter. Some CAG members supported doing so, and some advocated waiting until the CAG has more information about funding alternatives and an opportunity to hear from TOSC about listing pros and cons and to meet with EPA Administrator Whitman and Governor Martz. In response to a question, Paul Peronard stated that the advantage of an NPL listing is assured funding for the clean up. He said the disadvantage of a cleanup under a listing can be a slow and formal process. He also summarized the alternatives for funding the cleanup as:

- NPL listing;
- Line item appropriation from Congress - this approach has been used before, but not for a Superfund site; and
- EPA discretionary funds - EPA can commit to long-term funding, but doing so would not be probable and would be subject to political whims

CAG Action - The CAG voted in favor of a seconded motion to postpone action on Mr. Wilson's letter. At the request of an audience member, the letter was circulated among the audience so that they might sign it.

Public Comment

The public was asked to write questions and comments to the CAG and Senator Crismore. A summary of the written and oral questions and answers and comments follows.

Audience Member Question - If people are undecided about whether or not they would like to see Libby declared a Superfund site, why not have an area-wide vote on the issue? This seems like a fair way to handle the issue.

Audience Member Question (Summary of several written questions) - Senator Crismore, how can you trust W.R. Grace to conduct the cleanup when its clean-up actions to date have not been adequate, it refused to allow EPA to dispose of contaminated materials at the mine, and it has declared bankruptcy?

Answer - W.R. Grace is responsible for cleaning up Libby and has said that it will do so. W.R. Grace owes the community the cleanup.

CAG Member Question - Senator Crismore, who should be accountable to make sure that Libby is cleaned up?

Answer - EPA.

CAG Member Question - EPA has said that a Superfund listing may not be necessary if someone volunteers to conduct the cleanup. Is W.R. Grace willing to do so?

Answer by Alan Stringer - We have an opportunity to work together to get the cleanup done right.

W.R. Grace is willing to have a discussion with EPA about what needs to be done and what W.R. Grace needs to do.

Response by Paul Peronard - EPA will not allow W.R. Grace to conduct the cleanup unless it will sign a administrative consent order committing it to three things:

- W.R. Grace will not argue about the level of cleanup and monitoring required;
- W.R. Grace will not sue EPA to recover money it spends on the cleanup; and
- W.R. Grace will stipulate to penalties for non-compliance with EPA orders.

CAG Member Question - If W.R. Grace conducts the cleanup, would it pay workers the prevailing wage?

Answer - Private parties are not required to pay Davis-Bacon wages.

CAG Member Comment - W.R. Grace may be able to do the cleanup cheaper, but we don't want the cheapest cleanup. We want the best cleanup.

Audience Member Comment - People should be compensated for more than injury and property loss. They should be paid for lost lives.

CAG Member Comment - Senator Crismore, we could use your help as a regular CAG member.

Audience Member Question - Who carries more weight, 50-60 businesses or 2,500-3,000 residents?

Audience Member Comment- Arguments prolong the cleanup. We should act immediately.

CAG Member Comment - I have a problem with making W.R. Grace responsible for the cleanup because they are failing to do it right. Last night I collected this jar of vermiculite from the export plant site. I showed this jar to Paul Peronard, and he estimated that it contains 5% asbestos.

CAG Member Comment - The asbestos cross committee would like to thank everyone who helped to make it a success. We will find a site to display them again when the VIP's come to Libby.

Next Meeting

The next two CAG meetings were scheduled for Thursday, June 28, 2001 and July 12, 2001 from 7:00 to 9:00 p.m. in the Ponderosa Room of Libby City Hall.

Appendix 1
CAG Member Attendance List
June 14, 2001

Members	Group/Organization Represented
Sandy Wagner	Libby Resident
George Keck	Community Health Center
Dan C. Strausbaugh	ATSDR/Montana Office
Ron Anderson	Lincoln County
Mike Switzer	Asbestos Victim
Cyrus Lee	Kootenai Valley Headstart
Bob Dedrick	Asbestos Victim
George Bauer	City of Libby
David F. Latham	The Montanian
Paul Peronard	EPA On-Scene Coordinator
Wendy Thomi	EPA Community Involvement
Brad Black	Lincoln County Health Officer
Leroy Thom	Former Grace Employee
Gayla Benefield	LCAVRO
Clinton Maynard	Area Asbestos Research Group
Les Skramstad	Asbestos Victim (alternate for Norita Skramstand)
Eileen Carney	State Representative
K.W. Maki	Libby School District #4
Rick Palagi	St. John's Hospital

Appendix 2

June 11, 2001

Judy Martz, Governor
State of Montana

The EPA has done an exemplary job of cleaning up the asbestos problem in the City of Libby. The situation has been carefully analyzed, experts have been called, work has been performed energetically, screening of individuals possibly exposed to asbestos has been performed, and we are well on the road to recovery.

But, the work is not entirely complete. There is still much to do. The EPA is working on an emergency basis, and because of this, we have no guarantee that an even more drastic situation might arise elsewhere, and we might be left short of the ultimate goal of complete abatement.

Because of this, Libby will be considered for inclusion on the National Registry, and designation as a Superfund Site. As Governor of the State of Montana, you will be participating in the decision making process. The undersigned citizens of Libby urge you to give this matter your favorable consideration, and to bring the weight and dignity of your office to bear in support of this effort.

Respectfully,

Appendix 3

MISSOULIAN EDITORIAL

Libby needs certainty of cleanup

SUMMARY:
Designation
as a
"Superfund"
site is the
surest step
toward
ensuring
Libby's
future.

The community of Libby and state agencies are debating whether to seek formal designation for the town as a federal "Superfund" site under the Environmental Protection Agency's hazardous-waste cleanup program.

People who hold any hope future for Libby's future should lobby like hell to get the town listed as a Superfund site.

Asbestos from W.R. Grace's vermiculite mine near Libby has sickened and killed hundreds of people. Although the mine's shut down, extensive cleanup is necessary to eliminate the threat posed by asbestos already distributed in the area. Cleanup efforts to date already have cost more than \$10 million. No one can say what the ultimate costs might be. W.R. Grace, meanwhile, has filed for bankruptcy.

Maybe cleanup efforts will turn out to be easier and cheaper than expected. Maybe W.R. Grace will emerge from bankruptcy with solid finances and a newfound commitment to do right by the people of Libby. But we sure wouldn't bet the town on it. The surest way to get the job done - and done right - is through Superfund.

The state of Montana doesn't have the money needed to ensure Libby's future. Local taxpayers couldn't begin to foot the bill. Through Superfund, the federal government will make sure W.R. Grace does whatever's necessary, or the federal government itself will do the job.

Some Libby boosters worry about the stigma attached to designation as a Superfund site. But the stigma comes with the problem, not the solution.

Libby's reputation as an industrial killing field already is well established.

No amount of happy talk or marketing gimmicks are going to persuade people to overlook the potential danger associated with contamination. While some of the risks to people visiting Libby undoubtedly have been overstated, any risk of exposure is too great for many people. Libby will remain a place many people avoid until the community obtains a clean bill of health.

The goal here isn't to be a Superfund site. Rather, it's to become a former Superfund site - a place that once was contaminated but since has been cleaned up. Lacking the ability to do that locally or with state resources - or to make sure W.R. Grace does the job - the best approach is to enlist the EPA's help.